



Entered on Docket
June 18, 2010

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR¹
Case No. BK-S-06-10726-LBR¹
Case No. BK-S-06-10727-LBR²
Case No. BK-S-06-10728-LBR³
Case No. BK-S-06-10729-LBR³

CHAPTER 11

Jointly Administered Under
Case No. BK-S-06-10725 LBR

**Order Sustaining Third Omnibus
Objection Of USACM Trust To
Proofs Of Claim Based Entirely
Upon Investment In The Gramercy
Court Loan**

Hearing Date: June 15, 2010
Hearing Time: 9:30 a.m.

The Court having considered the "Third Omnibus Objection Of USACM Trust To Proofs Of Claim Based Entirely Upon Investment In The Gramercy Court Loan" [DE 8049] (the "Objection"); the Court having heard the Objection on June 15, 2010;

1 appropriate notice of the Objection having been given; no response to the Objection
2 having been filed; and good cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8049] is sustained;
5 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
6 claims are based upon an investment in the Gramercy Court Loan for the reasons set forth
7 in the objection.

8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**

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11 By /s/ Robert M. Charles, Jr. (#6593)
12 Robert M. Charles, Jr.,
13 John Hinderaker (*pro hac vice*)
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19 *Attorneys for USACM Liquidating Trust*

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1 CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021
23 In accordance with Local Rule 9021, the undersigned certifies:
4

- 5 The Court waived the requirements of approval under LR 9021.
6
- 7 This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I
8 have delivered a copy of this proposed order to all counsel who appeared at the
9 hearing, any unrepresented parties who appeared at the hearing, and each has
10 approved or disapproved the order, or failed to respond, as indicated below [list
11 each party and whether the party has approved, disapproved, or failed to
12 respond to the document.]
13
- 14 This is a chapter 11 case, and I have delivered a copy of this proposed order to
15 all counsel who appeared at the hearing, any unrepresented parties who
16 appeared at the hearing, and each has approved or disapproved the order, or
17 failed to respond, as indicated below.
18
- 19 I certify that I have served a copy of this order with the motion, and no parties
20 appeared or filed written objections.

21 U.S. Trustee:	22	23
24 <input type="checkbox"/> approved the form of this order	25 <input type="checkbox"/> disapproved the form of this order	26
27 <input checked="" type="checkbox"/> waived the right to review the order 28 and/or	29 <input type="checkbox"/> failed to respond to the document	30
31 Other Party:	32	33
34 <input type="checkbox"/> approved the form of this order	35 <input type="checkbox"/> disapproved the form of this order	36
37 <input type="checkbox"/> waived the right to review the order 38 and/or	39 <input type="checkbox"/> failed to respond to the document	40

41 Submitted by:
42

43 LEWIS AND ROCA LLP

44 By: /s/ Robert M. Charles, Jr.,

45 Attorneys for USACM Liquidating Trust

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Exhibit A

Claim	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Gramercy Court, LTD Loan
10725-00407	Nevada Freedom Corp	FTBO Duane U Deverill P.O. Box 4718 Incline Village, NV 89450 Nevada Freedom Corp. PSP DTD 10/1/90 and 9/1/95 FTBO Duane U. Deverill c/o Duane U. Deverill Trustee 774 Mays Blvd., Suite 10 PMB 186 Incline Village, NV 89451-9613	820,466.12	820,466.12
10725-01812	Park, Youngjin & Sejin	4417 Los Reyes Ct Las Vegas, NV 89121-5345	50,000.00	50,000.00
10725-01375	Payne, Shirley	Po Box 208 Grass Valley, CA 95945	50,000.00	50,000.00
10725-01016	Preswick Corp	1400 Colorado St Ste C Boulder City, NV 89005	281,473.51	281,473.51
10725-00378	Rausch, Lawrence	10708 Brinkwood Las Vegas, NV 89134	49,212.02	49,212.02
10725-00664	Ronald G Gardner Trust	C/O Ronald G Gardner Trustee 430 Bavarian Dr Carson City, NV 89705-7010	150,000.00	150,000.00
10725-00456	Silvestri, Silvio & Kathryn	13621 Wolf Rd Grass Valley, CA 95949-8187	74,340.00	74,340.00
10725-00047	Simmtex Inc A Nevada Corp	Jed Barish 2011 Oak St San Francisco, CA 94117	50,000.00	50,000.00
10725-00464	Stimpson, Shawn	5799 Cathedral Peak Dr Sparks, NV 89436	50,000.00	50,000.00
10725-00247	Tuttle, Dale L	6252 Chinook Way Las Vegas, NV 89108-1733	250,000.00	250,000.00